

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO

1 LEVI STRAUSS AND COMPANY,

2 Plaintiff,

3  
4 v.

5 M/V "PHOENIX SPIRIT", etc.,  
6 et al.,

7 Defendants.

8  
9 MARINE EXPRESS, INC.,

10 Intervenor-Plaintiff,

11 v.

12 M/V "PHOENIX SPIRIT", etc.,  
13 et al.,

14 Defendants.

15  
16 COLBRO SHIP MANAGEMENT COMPANY,  
LIMITED,

17 Intervenor-Plaintiff,

18  
19 v.

20 LEVI STRAUSS AND COMPANY,

21 Intervenor-Defendant,

22  
23 v.

24 WILLIAM J. COLEMAN,

25 Third-Party Defendant.  
26

Civil No. 96-2190 (JAF)

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U.S. DISTRICT COURT  
SAN JUAN, P.R.

Civil No. 96-2190 (JAF)

-2-

O R D E R

On August 6, 1999, Defendant Levi Strauss and Company ("Levi Strauss")<sup>1</sup> moved to compel the appearance of Mr. William J. Coleman and the representatives of Intervenor-Plaintiff Colbro Ship Management Company, Ltd. ("Colbro") and Pitea Shipping Company, Ltd. ("Pitea").<sup>2</sup>

On August 24-26, 1999, Levi Strauss deposed Mr. Coleman. See Docket Document No. 93. Accordingly, we find that Levi Strauss' motion to compel is **MOOT** as regards Mr. Coleman.

With reference to the representatives of Colbro and Pitea, we **ORDER** that they be deposed **within (30) thirty days** pursuant to FED. R. Civ. P. 30(b)(6), if they have not already been so deposed. If after the thirty days Levi Strauss informs us that Colbro and/or Pitea have not been deposed through their representatives and moves for sanctions, we will order any and all sanctions we deem appropriate pursuant to FED. R. Civ. P. 37(d).

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<sup>1</sup>On August 12, 1998, Colbro, as an intervenor-plaintiff, filed an action against Levi Strauss for the alleged wrongful detention of the M/V "PHOENIX SPIRIT", to which Colbro was bareboat charterer, operator, and manager at all relevant times. At that time, Levi Strauss was already plaintiff in the principal action begun on October 1, 1996.

<sup>2</sup>Levi Strauss supplemented this urgent motion to compel on August 13, 1999. See Docket Document No. 82.

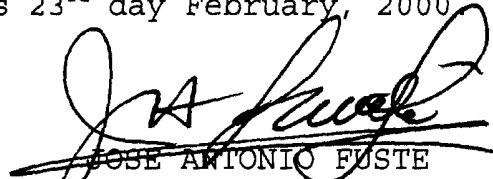
Civil No. 96-2190 (JAF)

-3-

This Order disposes of Docket Documents Nos. 80 and 82.

**IT IS SO ORDERED.**

San Juan, Puerto Rico, this 23<sup>rd</sup> day February, 2000



JOSE ANTONIO FUSTE  
U. S. District Judge